

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED
CENTRAL FAX CENTER

JAN 19 2005

In re Application of: A. FINESTONE et al.

Confirmation No.: 9131

Application No.: 10/800,255

Group Art Unit: 1773

Filing Date: March 11, 2004

Examiner: M. Jackson

For: SELF-CLOSING PACKAGING MATERIAL

Attorney Docket No.: 82017-3698

TERMINAL DISCLAIMER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313 - 1450

Sir:

Petitioner, Allan A. Fanucci, represents that he is the attorney of record for the present application.

Petitioner states that he has reviewed the assignment documents recorded on May 10, 2004 at reel 015418 frame 0932 and confirms that Tru-Tech Group Inc. is the owner of both the above-identified application and US patent 6,706,388, as well as certain other patents, by virtue of that Agreement and documents incorporated therein.

Petitioner hereby disclaims the terminal part of any patent granted on the above-identified application that would extend beyond February 12, 2021, the 20 year statutory patent term for U.S. Patent 6,706,388, and hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that any patent granted on the present application and U.S. Patent 6,706,388 are commonly owned.

Petitioner further agrees that this agreement is to run with any patent granted on the above-identified application and is to be binding upon the grantees, their successors, and their assigns.

Petitioner does not disclaim any terminal part of any patent that issues on the above-identified application prior to the expiration date of U.S. Patent No. 6,706,388 in the event that that patent is held unenforceable, is found invalid, is statutorily disclaimed in whole or in

part or is terminally disclaimed under 37 C.F.R. § 1.321(a), has all claims canceled by a reexamination certificate, or is otherwise terminated prior to the expiration of its full 20 year statutory term, except for lack of common ownership as stated above.

Petitioner hereby declares that all statements made herein of his own knowledge and belief are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application and any patent issuing thereon.

Signed this 19th day of January, 2005.



Allan A. Fanucci Reg. No. 30,256

WINSTON & STRAWN LLP
CUSTOMER NO. 28765
(212) 294-3311